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Docket No. 1272-001

Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

re application of

KENNETH B. FOUTS, II

Serial No.: 10/775, 300

Filed: February 10, 2004

For: BAG WITH ACTIVE VENTILATION :

Group Art Unit: 3749

Examiner: Harold, Joyce

**RESPONSE TO ELECTION/RESTRICTION AND SUPPLEMENTAL  
INFORMATION DISCLOSURE STATEMENT**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant carefully reviewed the Office Action mailed August 24, 2005, requesting election of a single disclosed species under 35 U.S.C. §121. As required, Applicant elects the species of Figures 2E and 3A for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held allowable. Applicant respectfully submits that claims 1, 2, 4-16, and 20-24 read on this species.

Additionally, Applicant discloses to the Examiner under 37 CFR 1.56, and 37 CFR 1.97-1.98, as revised (1135 OG 13) and effective March 16, 1992, the information listed on the attached form PTO/SB/08A. This information may be found to be material to this invention under the current applicable patent law and as interpreted by the US PTO Rules, as cited above. Review and consideration of the listed references/information during

S.N. 10/775, 300  
September 14, 2005

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Response to Election/Restriction Mailed August 24, 2005  
and Supplemental Information Disclosure Statement

substantive examination of this application is respectfully requested.

Applicant specifically emphasizes that this statement, and/or the act of identifying this information, is not to be construed as an admission that all or any of it is prior art to the specific invention disclosed and claimed. Also nothing in this statement is to be construed as a representation that this is the only material information to be found, or the best. If additional material information is discovered in the future, a prompt submission will be made to fulfill applicant's continuing duty of disclosure under 37 CFR 1.56.

Since Applicant submits this supplemental Information Disclosure Statement before the first Office Action on the merits, Applicant believes that no fees are due. Nevertheless, the undersigned authorizes the deduction of any necessary fees for this response and supplemental IDS from Deposit Account 11-0978.

If any matters require further attention, the Examiner is requested to contact the Applicant's attorney at the telephone number below in order to expedite the prosecution of this patent application.

Respectfully submitted,

**KING & SCHICKLI, PLLC**



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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Date 9-14-05

Carolina Perdomo